

EXHIBITS TO AFFIDAVIT OF OWEN F. DUFFY

EXHIBIT 4

USDC SDNY
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DOC #:
DATE FILED: 9/17/04

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X
TRANSFIELD ER CAPE LIMITED,

Plaintiff,

: 04 CV 4395 (WHP)(THK)

- against -

FUCHUEN DIHAI SHIPPING CO.,
LTD., HONG KONG,

Defendant.
-----X

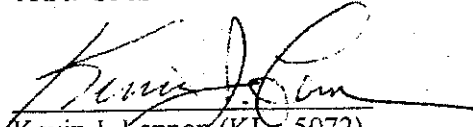
Plaintiff hereby voluntarily discontinues this action without prejudice pursuant to F. R.

Civ. P. 41(a)(1).

Dated: New York, NY
September 15, 2004

The Plaintiff,
TRANSFIELD ER CAPE LIMITED

By:


Kevin J. Lennon (KL- 5072)

Tisdale & Lennon, LLC
11 West 42nd Street
Suite 900
New York, NY 10036
(212) 354-0025 - phone
(212) 869-0067 - fax

SO ORDERED:

SO ORDERED: 9/17/04


WILLIAM H. PAULEY III U.S.D.J.